

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:20-CV-503-FL

KAZEEM OLUROTIMI OYENEYIN,

Plaintiff,

v.

CITY OF RALIEGH; BRYAN BRACEY  
individually; C GAGNON individually; K.  
E. VAN ALTHUIS individually; and TG  
BEATON individually,


Defendants.

ORDER

This matter is before the court upon defendant City of Raleigh's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) (DE 37). The time for response has expired, and the motion is unopposed. In this posture, the issues raised are ripe for ruling.

In its motion, defendant City of Raleigh demonstrates that plaintiff has failed to state a municipal liability claim against it under Monell v. Department of Social Services, 436 U.S. 658, 691 (1978). Plaintiff has not alleged facts connecting a policymaker to any alleged wrongdoing. See Bryant County Bd. of Comm'rs v. Brown, 520 U.S. 397, 404 (1997). Plaintiff also has not alleged a failure to train or supervise, or persistent and widespread custom or usage. See Sample v. City of Moundville, 195 F.3d 708, 713 (4th Cir. 1999); Randall v. Prince George's County, 302 F.3d 188, 210 (4th Cir. 2002). Therefore, defendant City of Raleigh's motion to dismiss is GRANTED, and plaintiff's claims against defendant City of Raleigh are DISMISSED WITHOUT PREJUDICE.

SO ORDERED, this the 3rd day of March, 2021.

  
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LOUISE W. FLANAGAN  
United States District Judge